

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
Bruce A. Rogers	:	
	:	
Application No.: 10/763,870	:	
	:	Group Art Unit: 3732
Filed: January 23, 2004	:	
	:	Examiner: R.K. Doan
For: HAIR HOLDING DEVICE WITH	:	
ELASTIC CLOSURE OPERATION	:	
	:	
	:	
Atty. Docket No.: ROG030.10001	:	

I, John F. Letchford, Registration No. 33,328, certify that this correspondence is being filed electronically with the USPTO via EFS-Web on February 6, 2009.

John F. Letchford

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION PURSUANT TO 37 CFR § 1.114

In response to the three-way personal and telephonic interview ("Interview") hosted by the Examiner and attended personally by the inventor, Mr. Bruce Rogers, and telephonically by the undersigned on February, 3, 2009, Applicant respectfully requests continued examination of the above-referenced application pursuant to 37 CFR § 1.114. The purpose of this Request is to introduce certain amendments to independent claims

1 and 20 of the instant application that were discussed in the Interview. More particularly, the amendments proposed herein are offered to comply with a request made by the Examiner in the Interview to reconfigure the language of the "elastomeric means" clause to "invok[e] the 112 6th paragraph" as indicated by the Examiner in the "Substance of Interview" portion of the "Interview Summary" (Form PTOL-413) memorializing the Interview. It is believed such amendments place the claims in condition for allowance.

This Request for Continued Examination is being filed pursuant to 37 CFR § 1.114(d) which states: "If an applicant files a request for continued examination under this section after appeal, but prior to a decision on the appeal, it will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner."

Submitted herewith is a request to charge USPTO Deposit Account No. 503-443 the amount of \$405.00 to cover the fee for this Request for Continued Examination (37 CFR §1.17(e)).

Listing of the Claims begin on page 4 of this paper.

Remarks/Arguments begin on page 8 of this paper.